

# **THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**SPECIAL CIVIL APPLICATION No. 8664 of 2011**

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**LALU**

**PRATAP BHANUBHAI - Petitioner(s)**

**Versus**

**HIGH**

**COURT OF GUJARAT & 2 - Respondent(s)**

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**Appearance : MR**

**GIRISH M DAS for Petitioner(s) : 1, LAW OFFICER BRANCH for Respondent(s) : 1 -  
2. MR MEHUL S SHAH for Respondent(s) : 1 -**

**2.**

**NOTICE NOT RECD BACK for Respondent(s) : 3,**

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**CORAM**

**:**

**HONOURABLE THE ACTING CHIEF JUSTICE MR.BHASKAR BHATTACHARYA**

**and**

**HONOURABLE MR.JUSTICE J.B.PARDIWALA**

**Date : 23/01/2012**

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE MR.BHASKAR BHATTACHARYA)

By this application the writ-petitioner appears to be aggrieved by the information given by the Public Information Officer dated September 28, 2010, in answer to the information sought by the petitioner.

It appears from the record that the petitioner wanted disclosure of the confidential/secret information given by this High Court vide Notification No. C/3001/05 dated April 30, 2007. Such information has been refused on the ground that the same falls under "Confidential and Secret information" pursuant to the said Notification.

After going through the materials on record we find that the Notification referred to by the petitioner is an official publication and the petitioner himself has annexed such Notification in the writ application. Therefore, the said information does not come within the purview of Right to Information Act, 2005 as that was a public notification.

Secondly, the petitioner's grievance is that he had written a letter to the Registrar General of this Court seeking certain information regarding recruitment of Clerks at Junagadh Court, but according to him this has not been answered. It appears that on the face of it those information are not available in the record of the High Court because it relates to recruitment in Junagadh District Court. Therefore, the petitioner applied before an authority which had no possession of those information at the relevant point of time.

On consideration of the above facts, we do not find any merit in this application and consequently the same is dismissed, although we do not approve the reason assigned by the concerned Officer.

(Bhaskar Bhattacharya, Actg. C.J.)

(J.B. Pardiwala, J.)

\*/Mohandas